

September 28, 2004

A special meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:00 p.m., pursuant to notice, in the Council Chambers. Councilmembers present were: Cole, Marchione, McCormick, Paine, Resha, Robinson, and Vache.

WASHINGTON CATHEDRAL DEVELOPMENT AGREEMENT, L040298

The Mayor, in a memorandum to the Council dated September 28, 2004, recommended the City Council deny the proposed development agreement.

James E. Haney, City Attorney, explained that at the last meeting after the public hearing was closed, he had indicated the Council could not receive additional evidence, ask questions of staff, or get additional information. After talking with staff and reviewing the state statutes, he stated that in this specific case because the Council is dealing with a development agreement that relates to an annexation, which is a legislative action as opposed to a development agreement associated with a project permit, the Council would be permitted to ask questions of staff.

Motion by Mr. Cole, second by Ms. McCormick, to remove the Washington Cathedral Development Agreement from the table. Motion carried unanimously (7 - 0).

Motion by Mr. Cole, second by Ms. McCormick, to approve the proposed Development Agreement for Washington Cathedral.

Responding to a question from Councilmember Cole regarding the proposed annexation zoning, Mr. Roberts, Assistant Planning Director, advised that upon annexation, the Council would be asked to approve a conditional use permit for Washington Cathedral's Master Plan, which would be followed by entitlement applications to implement the Master Plan in phases.

Councilmember Vache confirmed that the basic reason for this development agreement was to obtain an exemption from the stormwater regulations that would be effective on October 1, 2004. He asked what was the difference between the old and the new stormwater regulations as it applies to this annexation? Mr. Roberts responded that the new regulations would require approximately two to two and one-half times more detention storage on the site, which is a cost issue for the developer.

Councilmember Paine said it is not clear what benefit this agreement has to the public and the city, particularly in light of the fact that some of the environmental protection will be lost. He concluded that he cannot support this motion.

Councilmember Vache said he would not support approval of this development agreement because it is the wrong way to deal with an environmental regulation. Regarding any benefit to the city, he continued, it seems dangerous to say that "if" there is a city benefit there will be an exemption from our regulations. The Council has been struggling for years on the question of who pays for development and has said that development should pay for development. The proposed motion does not seem in synch with the conversations the Council has had in the past, he concluded.

Councilmember Resha stated this has been a struggle, but he would vote no. Development agreements, he commented, are a powerful tool when done right. Development agreements provide some surety to the developer as well as to the city over long-term growth, he noted. With a development agreement, he explained, the city would have a good understanding of what is going to happen in the future and therein lies some good benefit to all because it is understood what is going to happen to the site. This particular development agreement, he concluded, is of a short-term nature and designed to by-pass important environmental regulations, and does not meet the test of a development agreement.

The City Attorney recommended a small revision on page two of the proposed resolution, Section 1, the fifth line down, to put a period after the word 'approved' and strike the remainder of the paragraph. He further stated that the agreement that will be attached to the resolution is the agreement in the Council's packet, and does meet the legal concerns that were raised at the September 21, 2004 meeting.

Resolution No. 1195, approving a Development Agreement for the Washington Cathedral property located at 12300 Redmond-Woodinville Road, was presented and read.

Upon a poll of the Council, the motion carried (4 - 3) with Cole, Marchione, McCormick, and Robinson voting aye and Paine, Resha, and Vache voting nay.

There being no further business to come before the Council, the Mayor adjourned the special meeting at 7:47 p.m.

---

MAYOR

---

DEPUTY CITY CLERK